

**REMARKS**

Original Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Owen, and the remaining claims were rejected under 35 U.S.C. 103 as being obvious over Owen in view of Cassese et al, Goldstein, and/or Lacy. It is submitted that the basic concept of the present invention is not disclosed in Owen, nor in any of the other references cited by the Examiner. In order to more clearly define the invention of the present application and to more sharply distinguish it over the references, a number of amendments have been made to the claims. In addition, the specification has been amended to provide clear antecedent terminology for the language used in the claims.

Favorable reconsideration of the application is respectfully requested in the light of these amendments and the following remarks.

The novel concept involved in the present application relates, not to a normal headrest, such as in Owen, for comfortably resting the head of an occupant of a bus, train or plane seat (column 1, lines 16–23 of Owen), but rather it relates to a headrest commonly used as a head restraining device mounted to the upper end of a vehicle seat, spaced above it and slightly rearwardly of the normal position of the head of the seat occupant, to restrain the occupant's head from a sharp backward movement in the event of a rear end impact to the vehicle, and thereby to prevent a whiplash injury.

The purpose of the headrest cover in applicant's invention is not only to absorb the shock applied to the head of the seat occupant in the event of a rear end impact to the vehicle, but also to reduce the distance between the normal position of the seat occupant head and the headrest.

For this purpose, the novel concept is to provide a headrest cover, as a retrofit safety device, for application to existing vehicle headrest (or head restrainer) of the foregoing type in order to both reduce the distance between the normal position of the seat occupant's head with respect to the headrest, but also to better absorb impact forces so as to prevent whiplash injuries in the event of a rear-end impact to the vehicle.

The headrest (or head restrainer) covers of the present invention is sharply to be distinguished from a slipover headrest pillow assembly of Owen for application to the conventional headrest of a vehicle for normally engaging and comfortably supporting the head of the vehicle occupant.

The foregoing differences in the device of the present application have been clearly brought out in the amendments made to original Claim 1, and it is submitted, therefore, that amended Claim 1 is now clearly allowable over that reference, whether taken alone or in combination with any of the cited secondary references.

Claims 2–11 all depend from Claim 1, and are therefore submitted to be allowable with that claims for the same reasons as discussed above, in addition to the further features added in the respective dependent claims. In this respect, it is to be noted that dependent Claim 4 has been amended to even more sharply emphasize the whiplash-prevention function of the headrest cover of the present invention, by further stating that the shock absorbing cushion or cushions are designed to restrain the head of the seat occupant from a deceleration exceeding 80 G's for more than 3 ms continuous in the event of a rear end impact to the vehicle at a velocity 24.1 Km/hr. The latter feature is clearly supported by the last paragraph on Page 8 of the original application.

Independent Claim 12 has been amended in the same manner as independent Claim 1, and is therefore submitted to be allowable with that claim for the same reasons. In addition, Claim 17 has been amended according to Claim 4, and is therefore also submitted to be allowable for the same reasons. The remaining claims all depend from Claim 11, and are therefore submitted to be allowable with that claim for the same reasons as Claim 11, apart from the further features set forth in the respective claims.

In view of the foregoing, it is believed this application is now in condition for allowance, and an early Notice of Allowance is respectfully requested.

Respectfully submitted,



Martin D. Moynihan  
Registration No. 40,338

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**Encl.:**

Petition for Extension (1 month)